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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

vs.

JACQUAVIUS TRISHUN POWELL

Defendants.

Case No.: 2:21 mj 00150-EJY

Stipulation to Continue Preliminary
Hearing Date (Third Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, United States Attorney, Edward Veronda, Assistant United States Attorney, counsel for the United States of America and Nicholas Wooldridge, Esq., counsel for defendant Jacquavius Powell.

THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR July 2, 2021, at 4:00 p.m. before U.S. Magistrate Elayna J. Youchah be vacated and set to a time convenient for the Court, but no earlier than 45 days (Monday, August 16, 2021).

This stipulation is entered into for the following reasons:

1. Before the scheduled preliminary hearing, the government has provided counsel with Rule 16 Discovery, including multiple gigabytes of cell phone data. Counsel for the

1 defendant requests an opportunity to review the discovery and discuss it with his
2 respective client prior to the preliminary hearing.

- 3 2. Defense counsel and counsel for the government agree to the continuance.
- 4 3. The defendant is not detained and agrees to the continuance.
- 5 4. Denial of this request for continuance could result in a miscarriage of justice.
- 6 5. The additional time requested by this Stipulation is excludable in computing the time
7 from the filing of the criminal complaint through which the government must assert
8 an criminal Information or seek an Indictment by the Grand Jury pursuant to the
9 Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when
10 considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)
11 and 3161(h)(7)(B)(iv).
- 12 6. This is the second request for a continuance.

13 Dated this 21st day of June, 2021.

14 Respectfully Submitted,

15 CHRISTOPHER CHIOU
16 Acting United States Attorney

17 EDWARD G. VERONDA
18 Assistant United States Attorney

19 NICHOLAS WOOLDRIDGE, ESQ.
20 Counsel for defendant Jaquavius Powell

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FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The period within which the government may assert an Information or seek an Indictment through the Grand Jury against the defendant is hereby extended from the date of the filing of the complaint up through and including August 16, 2021.
2. The government has provided counsel for the defendant with Rule 16 discovery, including multiple gigabytes of cell phone data. Counsel for the defendant requests an opportunity to review the discovery and discuss it with his client prior to a preliminary hearing or an indictment.

3. Both counsel for the defendants and counsel for the government agree to the continuance.

4. The defendant is not detained and agrees to the continuance.

5. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

6. This is the first request to continue the preliminary hearing.

For all of the above-stated reasons, the end of justice would best be served by a continuance of the preliminary hearing.

ORDER

IT IS ORDERED that the preliminary hearing currently scheduled for July 2, 2021, at 4:00 p.m. be vacated and continued to **August 16, 2021**, at the hour of **4:00 p.m. in Courtroom 3A.**

DATED this 21st day of June 2021.


UNITED STATES MAGISTRATE JUDGE